

REMARKS

Claims 1-4 and 6-27 were pending in this application. Claims 1-4, 6, 11, 14, 16, 18, 20, 23, 25 and 26 stand rejected, while claims 7-10, 12, 13, 15, 17, 19, 21, 24 and 27 are objected to as being dependent upon a rejected base claim. Reconsideration and allowance in view of the following amendments and remarks are requested.

By this Amendment, Applicant has amended claims 1-4, 6-8, 10, 12-16, 20, 22-25 and 27. Support for the amendments can be found in the specification and claims as originally filed. For example, support can be found at page 5, paragraph [0070], and page 7, paragraph [0095] in the present specification. Applicant has also made amendments to the claims for the purpose of clarity rather than patentability. The amendments introduce no new matter, and thus, their entry is respectfully requested.

Claim Rejection-35 USC §101

Claim 1 is rejected under 35 U.S.C §101 as not falling within one of the four statutory categories of invention. The Examiner notes that a statutory process must be tied to another statutory category (such as a particular apparatus) or it must transform underlying subject matter (such as an article or material) to a different state or thing. It is asserted by the Examiner that the instant claims do neither. This is clearly not the case. Signals from the marker modules clearly cause the mobile phone to change states, i.e., to perform one of the services, such as those recited in claim 11. Further the process is clearly tied to the mobile phone and the markers.

Nevertheless, in order to expedite prosecution, Applicant has amended claim 1 to identify "a method for performing services by a mobile phone," as suggested by the Examiner. This amendment thus identifies the mobile phone as the statutory apparatus that is performing the method steps.

Claim Rejection-35 USC §112

The term “short distance” and “markers” in claim 1 and 25 were stated by the Examiner to be relative terms which render the claims indefinite.

In order to overcome this rejection claim 1 has amended to provide a clear definition for “short distance” and “marker.” Specifically, claim 1 has been amended to include the phrase, “a wireless blue tooth identifier module in the mobile phone, wherein said identifier module can receive a short-distance wireless message transmitted by a blue tooth marker module set for a physical object to be marked.” Claim 25 has been amended to include the phrase, “a wireless blue tooth identifier module, which comprises a receive module for receiving a short-distance wireless message transmitted from external blue tooth marker modules wherein said wireless receive module decodes out corresponding marking information from the wireless message.”

One of ordinary skill in the art would clearly understand the ranges of the short distance of Bluetooth and the Bluetooth marker. This is especially evident in the present application, such as at paragraph [0070], for example, where the communication distance of blue tooth is defined as 5 meters. Thus claim 1 and claim 25 as amended are not indefinite.

Claim Rejection-35 USC §103

Claim 1-4, 6, 11, 14, 16, 18, 20, 22-23 and 25-26 were rejected under 35 U.S.C 103(a) as being unpatentable over Kuwahara (US Pat No. 6,389,288) and further in view of Jonsson (US Pat No. 5,903,833) and Naiki (US Pat No. 7,039,426).

Applicant has amended independent claims 1 and 25. In view of these amendments and the remarks set forth below, Applicant submits that the above rejections have been overcome.

Kuwahara does not teach the claimed method as amended. Kuwahara discloses a mobile communication terminal capable of executing location-related services. The location information

disclosed in Kuwahara is reported location information from a base station (Col 6, lines 49-55) as distinguished from the marked information of both said marker module itself and the marked object, which can be transmitted via the short-distance wireless message in the application as recited in claims 1 and 25. In Kuwahara, the user-defined area name, like the marked object in the application, is registered by a user of the terminal for the reported location information in the terminal (Col. 10, line 41- Col 13, line 4). Thus, the reported location information transmitted by the base station in Kuwahara is not a short-distance wireless message that may contain the marking information of both the marking module and the marked objects in accordance with the claimed invention.

Further, the present claims include the element "retrieving corresponding marking information from the short-distance wireless message received from any one marker module by said identifier module; and performing the corresponding entry trigger service when the mobile phone determines based on the retrieved marking information that the mobile phone has entered an area marked by said marker module and an entry trigger service corresponding to the retrieved marking information is contained in said entry trigger records." In Kuwahara the reported location information retrieved is different from the user-defined area name. In order to perform the service, the registration of the user-defined area name corresponding to the reported location information is needed (Col. 13, lines 5-7). Thus Kuwahara does not disclose how to perform the corresponding entry trigger service directly according to the reported location information retrieved.

The above elements in the present amended claims also not disclose in Jonsson, or Naiki.

Though Jonsson discloses that "a registration device's identity code is transferred by a low energy or infrared device to service control module," Jonsson just discloses "registration devices" that transmit a signal to a mobile user such that they understand the information from the "registration devices," but does not disclose the information of the phone associated with the "registration devices" (Col. 6, line 65-Col. 7, line 6). Thus it does not disclose a short-distance wireless message that may contain the marking information of both the marking module and the

marked objects in accordance with the claimed invention. Further, Jonsson does not disclose a mobile phone which automatically determines whether it has just entered a marked area based on the received marking information, and automatically performs a corresponding entry trigger service when needed.

Naiki discloses a portable information apparatus that can receive a prohibition signal and determine that it should enable/disable operation of the transmission functions. The prohibition signal in Naiki does not disclose the marked information. In Naiki, once a portable information apparatus receives a prohibition signal of a transmitter, it disables operation of the transmission functions. Naiki does not disclose a mobile phone which automatically determines whether it has just entered a marked area based on the received marking information, and automatically performs a corresponding entry trigger service when needed.

Thus, in view of the above amendments and remarks, the cited reference documents neither disclose nor suggest the above-mentioned distinguishing technical features as claimed in the amended claims of the present application. Since independent claims 1 and 25 are patentable, so are the remaining claims which depend directly or indirectly from those claims.

CONCLUSION

In view of the above amendments and remarks, it is respectfully requested that the application and all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

The Commissioner is hereby authorized to charge any unpaid fees deemed required in connection with this submission, or to credit any overpayment, to Deposit Account No. 04-0100.


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The Commissioner is hereby authorized to charge any unpaid fees deemed required in connection with this submission, or to credit any overpayment, to Deposit Account No. 04-0100.

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Respectfully submitted,

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